

In re: Halsey McLean Minor

Case No. 2: 13-bk-23787-TD

UNITED STATES BANKRUPTCY COURT

CENTRAL DISTRICT OF CALIFORNIA

STATEMENT OF FINANCIAL AFFAIRS

This statement is to be completed by every debtor. Spouses filing a joint petition may file a single statement on which the information for both spouses is combined. If the case is filed under chapter 12 or chapter 13, a married debtor must furnish information for both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed. An individual debtor engaged in business as a sole proprietor, partner, family farmer, or self-employed professional, should provide the information requested on this statement concerning all such activities as well as the individual's personal affairs. To indicate payments, transfers and the like to minor children, state the child's initials and the name and address of the child's parent or guardian, such as "A.B., a minor child, by John Doe, guardian." Do not disclose the child's name. See, 11 U.S.C. §112 and Fed. R. Bankr. P. 1007(m).

Questions 1 - 18 are to be completed by all debtors. Debtors that are or have been in business, as defined below, also must complete Questions 19 - 25. **If the answer to an applicable question is "None," mark the box labeled "None."** If additional space is needed for the answer to any question, use and attach a separate sheet properly identified with the case name, case number (if known), and the number of the question.

DEFINITIONS

"In business." A debtor is "in business" for the purpose of this form if the debtor is a corporation or partnership. An individual debtor is "in business" for the purpose of this form if the debtor is or has been, within six years immediately preceding the filing of this bankruptcy case, any of the following: an officer, director, managing executive, or owner of 5 percent or more of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership; a sole proprietor or self-employed full-time or part-time. An individual debtor also may be "in business" for the purpose of this form if the debtor engages in a trade, business, or other activity, other than as an employee, to supplement income from the debtor's primary employment.

"Insider." The term "insider" includes but is not limited to: relatives of the debtor; general partners of the debtor and their relatives; corporations of which the debtor is an officer, director, or person in control; officers, directors, and any persons in control of a corporate debtor and their relatives; affiliates of the debtor and insiders of such affiliates; and any managing agent of the debtor. 11 U.S.C. § 101(2), (31).

1. Income from employment or operation of business

State the gross amount of income the debtor has received from employment, trade, or profession, or from operation of \ the debtor's business, including part-time activities either as an employee or in independent trade or business, from the beginning of this calendar year to the date this case was commenced. State also the gross amounts received during the **two years** immediately preceding this calendar year. (A debtor that maintains, or has maintained, financial records on the basis of a fiscal rather than a calendar year may report fiscal year income. Identify the beginning and ending dates of the debtor's fiscal year.) If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income of both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None
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AMOUNT	SOURCE
2011 -- loss of \$723,553	operation of businesses
2012 -- unknown loss	operation of businesses
2013 -- unknown loss	operation of businesses

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2. Income other than from employment or operation of business

None☐

State the amount of income received by the debtor other than from employment, trade, profession, operation of the debtor's business during the **two years** immediately preceding the commencement of this case. Give particulars. If a joint petition is filed, state income for each spouse separately. (Married debtors filing under chapter 12 or chapter 13 must state income for each spouse whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

AMOUNT	SOURCE
2011 -- \$1,214	Interest income
2012 -- likely zero	
2013 -- likely zero	

3. Payments to creditors

Complete a. or b., as appropriate, and c.

None☐

a. *Individual or joint debtor(s) with primarily consumer debts:* List all payments on loans, installment purchases of goods or services, and other debts to any creditor made within **90 days** immediately preceding the commencement of this case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$600. Indicate with an asterisk (*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

N/A

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None
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*b. Debtor whose debts are not primarily consumer debts: List each payment or other transfer to any creditor made within **90 days** immediately preceding the commencement of the case unless the aggregate value of all property that constitutes or is affected by such transfer is less than \$6,225. If the debtor is an individual, indicate with an asterisk (*) any payments that were made to a creditor on account of a domestic support obligation or as part of an alternative repayment schedule under a plan by an approved nonprofit budgeting and credit counseling agency. (Married debtors filing under chapter 12 or chapter 13 must include payments and other transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)*

Name of Creditor	Date	Amount Paid	Amount Still Owing	Notes
Franchise Tax Board	5/20/2013	\$2,500,000.00	Unknown	Payment made by receiver, Zachary G. Newman, as court-appointed receiver in Sotheby's Inc. v. Halsey Minor (08-cv-76941, S.D.N.Y.)
Sotheby's Inc.	5/20/2013	\$286,513.40	Unknown	Payment made by receiver, Zachary G. Newman, as court-appointed receiver in Sotheby's Inc. v. Halsey Minor (08-cv-76941, S.D.N.Y.)
US Treasury	5/20/2013	\$98,222.60	Unknown	Payment made by receiver, Zachary G. Newman, as court-appointed receiver in Sotheby's Inc. v. Halsey Minor (08-cv-76941, S.D.N.Y.)
Sotheby's Inc.	5/20/2013	\$98,222.60	Unknown	Payment made by receiver, Zachary G. Newman, as court-appointed receiver in Sotheby's Inc. v. Halsey Minor (08-cv-76941, S.D.N.Y.)

None
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*c. All debtors: List all payments made within **one year** immediately preceding the commencement of this case to or for the benefit of creditors who are or were insiders. (Married debtors filing under chapter 12 or chapter 13 must include payments by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)*

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4. Suits and administrative proceedings, executions, garnishments and attachments

None☐

a. List all suits and administrative proceedings to which the debtor is or was a party within **one year** immediately preceding the filing of this bankruptcy case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Caption	Jurisdiction	Case No.
Sitrick and Company v. Halsey Minor	American Arbitration Association	AAA CASE NO. 72 14700832 12 SIM
Sotheby’s v. Halsey Minor	Southern District of New York	No. 08-CV-7694 (BSJ) (HP)
Johnson Gallagher Magliery LLC v. Halsey Minor	New York Country Clerk	100628/2013
Specialty Finance Group, LLC v. Halsey Minor	West Jordan Utah District Court	100401442

None☒

b. Describe all property that has been attached, garnished or seized under any legal or equitable process within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

5. Repossessions, foreclosures and returns

None☒

List all property that has been repossessed by a creditor, sold at a foreclosure sale, transferred through a deed in lieu of foreclosure or returned to the seller, within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

6. Assignments and receiverships

None☒

a. Describe any assignment of property for the benefit of creditors made within **120 days** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include any assignment by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

None☐

b. List all property which has been in the hands of a custodian, receiver, or court-appointed official within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning property of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

NAME AND ADDRESS OF CUSTODIAN OF PROPERTY	NAME AND LOCATION OF COURT	DATE OF ORDER	DESRPTION AND VALUE
Zachary Newman, Esq. Hahn & Hessen LLP 488 Madison Avenue New York, NY 10022	United States District Court for the Southern District of New York	November 18, 2012	Art (approximately \$8,500,000)

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7. Gifts

None☒

List all gifts or charitable contributions made within **one year** immediately preceding the commencement of this case except ordinary and usual gifts to family members aggregating less than \$200 in value per individual family member and charitable contributions aggregating less than \$100 per recipient. (Married debtors filing under chapter 12 or chapter 13 must include gifts or contributions by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

8. Losses

None☒

List all losses from fire, theft, other casualty or gambling within **one year** immediately preceding the commencement of this case **or since the commencement of this case**. (Married debtors filing under chapter 12 or chapter 13 must ☐include losses by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

9. Payments related to debt counseling or bankruptcy

None☐

List all payments made or property transferred by or on behalf of the debtor to any persons, including attorneys, for consultation concerning debt consolidation, relief under the bankruptcy law or preparation of a petition in bankruptcy within **one year** immediately preceding the commencement of this case

NAME OF PAYEE	DATE OF PAYMENT	AMOUNT OF MONEY
Peitzman Weg LLP (bankruptcy attorneys)	May 15, 2013	\$30,000
Black Hills Children’s Ranch, Inc. (credit counseling)	May 23, 2013	\$250

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10. Other transfers
- None☒

a. List all other property, other than property transferred in the ordinary course of the business or financial affairs of the debtor, transferred either absolutely or as security within **two years** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include transfers by either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

b. List all property transferred by the debtor within **ten years** immediately preceding the commencement of this case to a self-settled trust or similar device of which the debtor is a beneficiary.

Transferee Name and Address	Date of Transfer	Description	Debtor's Interest/Value
Halsey Mclean Minor Revocable Trust Dated 11/3/2004	Upon establishment	Morgan Stanley Brokerage Account # ***6-066	\$20,546.51
Halsey Mclean Minor Revocable Trust Dated 11/3/2004	Upon establishment	Morgan Stanley Brokerage Account #***13 099	\$0.00
Halsey Mclean Minor Revocable Trust Dated 11/3/2004	Upon establishment	Merrill Lynch Brokerage Acct # ***5246	\$8,606.47
Halsey Mclean Minor Revocable Trust Dated 11/3/2004	2006	Real property at 822 Sarbonne Rd., Los Angeles, CA	Fee interest-100%
Halsey Mclean Minor Revocable Trust Dated 11/3/2004	2007	Real Property at 3800- 3810 Washington St., San Francisco, CA	Fee interest-100%
Halsey Mclean Minor Revocable Trust Dated 11/3/2004	2004	Equity interests in Fox Ridge Farms Holdings, LLC	100% of equity, value unknown

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11. Closed financial accounts

None

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List all financial accounts and instruments held in the name of the debtor or for the benefit of the debtor which were closed, sold, or otherwise transferred within **one year** immediately preceding the commencement of this case. Include checking, savings, or other financial accounts, certificates of deposit, or other instruments; shares and share accounts held in banks, credit unions, pension funds, cooperatives, associations, brokerage houses and other financial institutions. (Married debtors filing under chapter 12 or chapter 13 must include information concerning accounts or instruments held by or for either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

Financial Institution	Date Closed	Account No./Type/Other	Closing Balance
Morganstanley Smithbarney LLC 2775 Sand Hill Road Suite 120 Menlo Park CA 94025	(currently open with zero balance)	****13 099 Brokerage (acct owned by Halsey Trust Dtd 11/03/2004)	\$40,569.78 (amount transferred prepetition to pay bankruptcy attorneys' fees and other expenses)
Suntrust Bank PO BOX 622227 Orlando, FL 32862-2227	06/29/2012	***4139 Checking (Joint account with Shannon Minor POA)	\$108.00
Suntrust Bank PO BOX 622227 Orlando, FL 32862-2227	6/29/2012	****1780 Checking	-\$238.00
The Northern Trust Company 580 California Street, Suite 1800 San Francisco, California 94104	5/9/2013	****4795 Money Market (Account for O'Brien Ventures I LLC)	\$17,930.79
The Northern Trust Company 580 California Street, Suite 1800 San Francisco, California 94104	5/9/2013	****3338 Checking (Account for O'Brien Ventures I LLC)	\$14,811.62

12. Safe deposit boxes

None

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List each safe deposit or other box or depository in which the debtor has or had securities, cash, or other valuables within **one year** immediately preceding the commencement of this case. (Married debtors filing under chapter 12 or ☐chapter 13 must include boxes or depositories of either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

13. Setoffs

None

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List all setoffs made by any creditor, including a bank, against a debt or deposit of the debtor within **90 days** preceding the commencement of this case. (Married debtors filing under chapter 12 or chapter 13 must include information concerning either or both spouses whether or not a joint petition is filed, unless the spouses are separated and a joint petition is not filed.)

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14. Property held for another person

List all property owned by another person that the debtor holds or controls.

None <input type="checkbox"/>	NAME AND ADDRESS OF OWNER	DESCRIPTION OF PROPERTY	LOCATION AND VALUE OF PROPERTY
	Fox Ridge Farms Holdings, LLC 2800 Ridge Rd. Charlottesville, VA 22901	Checking account #***2217 Received rents and was used for maintenance of rental units	Comerica Bank 318 Diablo Rd., Ste. 100 Danville, CA 94526

15. Prior address of debtor

If debtor has moved within **three years** immediately preceding the commencement of this case, list all premises which the debtor occupied during that period and vacated prior to the commencement of this case. If a joint petition is filed, report also any separate address of either spouse.

None <input type="checkbox"/>	ADDRESS	NAME USED	DATES OF OCCUPANCY
	3810 Washington St. San Francisco, CA 94118	Halsey McLean Minor	2008-present
	619 Trenton Ave. Beverly Hills, CA 90210	Halsey McLean Minor	2011-present
	384 Delfern Dr. Beverly Hills, CA	Halsey McLean Minor	2009-2011

16. Spouses and Former Spouses

If the debtor resides or resided in a community property state, commonwealth, or territory (including Alaska, Arizona, California, Idaho, Louisiana, Nevada, New Mexico, Puerto Rico, Texas, Washington, or Wisconsin) within eight years immediately preceding the commencement of the case, identify the name of the debtor’s spouse and of any former spouse who resides or resided with the debtor in the community property state.

None <input type="checkbox"/>	Shannon Minor (spouse) Deborah Minor (former spouse)
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17. Environmental Information.

For the purpose of this question, the following definitions apply:

"Environmental Law" means any federal, state, or local statute or regulation regulating pollution, contamination, releases of hazardous or toxic substances, wastes or material into the air, land, soil, surface water, groundwater, or other medium, including, but not limited to, statutes or regulations regulating the cleanup of these substances, wastes, or material.

"Site" means any location, facility, or property as defined under any Environmental Law, whether or not presently or formerly owned or operated by the debtor, including, but not limited to, disposal sites.

"Hazardous Material" means anything defined as a hazardous waste, hazardous substance, toxic substance, hazardous material, pollutant, or contaminant or similar term under an Environmental Law.

a. List the name and address of every site for which the debtor has received notice in writing by a governmental unit that it may be liable or potentially liable under or in violation of an Environmental Law. Indicate the governmental unit, the date of the notice, and, if known, the Environmental Law:

None
☒

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- None
☒

b. List the name and address of every site for which the debtor provided notice to a governmental unit of a release of Hazardous Material. Indicate the governmental unit to which the notice was sent and the date of the notice.
- None
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c. List all judicial or administrative proceedings, including settlements or orders, under any Environmental Law with respect to which the debtor is or was a party. Indicate the name and address of the governmental unit that is or was a party to the proceeding, and the docket number.

18 . Nature, location and name of business

- None
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a. *If the debtor is an individual*, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was an officer, director, partner, or managing executive of a corporation, partner in a partnership, sole proprietor, or was self-employed in a trade, profession, or other activity either full- or part-time within **six years** immediately preceding the commencement of this case, or in which the debtor owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

If the debtor is a partnership, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities, within **six years** immediately preceding the commencement of this case.

If the debtor is a corporation, list the names, addresses, taxpayer-identification numbers, nature of the businesses, and beginning and ending dates of all businesses in which the debtor was a partner or owned 5 percent or more of the voting or equity securities within **six years** immediately preceding the commencement of this case.

See attached schedule 18-a
- None
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b. Identify any business listed in response to subdivision a., above, that is "single asset real estate" as defined in 11 U.S.C. § 101.

The following questions are to be completed by every debtor that is a corporation or partnership and by any individual debtor who is or has been, within **six years** immediately preceding the commencement of this case, any of the following: an officer, director, managing executive, or owner of more than 5 percent of the voting or equity securities of a corporation; a partner, other than a limited partner, of a partnership, a sole proprietor, or self-employed in a trade, profession, or other activity, either full- or part-time. *(An individual or joint debtor should complete this portion of the statement **only** if the debtor is or has been in business, as defined above, within six years immediately preceding the commencement of this case. A debtor who has not been in business within those six years should go directly to the signature page.)*

19. Books, records and financial statements

- None
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a. List all bookkeepers and accountants who within two years immediately preceding the filing of this bankruptcy case kept supervised the keeping of books of account and records of the debtor.

NAME AND ADDRESS	DATES SERVICES RENDERED
WTAS, LLC 100 First St., 16th Floor San Francisco, CA 94105	2009-present
- None
☒

b. List all firms or individuals who within **two years** immediately preceding the filing of this bankruptcy case have audited the books of account and records, or prepared a financial statement of the debtor.

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None☐c. List all firms or individuals who at the time of the commencement of this case were in possession of the books of account and records of the debtor. If any of the books of account and records are not available, explain.

	NAME	ADDRESS
	Halsey McLean Minor	619 Trenton Avenue Beverly Hills, CA 90210
None <input checked="" type="checkbox"/>	d. List all financial institutions, creditors and other parties, including mercantile and trade agencies, to whom a financial statement was issued by the debtor within two years immediately preceding the commencement of this case.	

20. Inventories

None☒a. List the dates of the last two inventories taken of your property, the name of the person who supervised the taking of each inventory, and the dollar amount and basis of each inventory.

None☒b. List the name and address of the person having possession of the records of each of the inventories reported in a, above.

21 . Current Partners, Officers, Directors and Shareholders

None☐a. If the debtor is a partnership, list the nature and percentage of partnership interest of each member of the partnership.

N/A

None☐b. If the debtor is a corporation, list all officers and directors of the corporation, and each stockholder who directly or indirectly owns, controls, or holds 5 percent or more of the voting or equity securities of the corporation.

N/A

22. Former partners, officers, directors and shareholders

None☐a. If the debtor is a partnership, list each member who withdrew from the partnership within **one year** immediately preceding the commencement of this case.

N/A

None☐b. If the debtor is a corporation, list all officers or directors whose relationship with the corporation terminated within **one year** immediately preceding the commencement of this case.

N/A

23 . Withdrawals from a partnership or distributions by a corporation

None☐If the debtor is a partnership or corporation, list all withdrawals or distributions credited or given to an insider, including compensation in any form, bonuses, loans, stock redemptions, options exercised and any other perquisite during **one year** immediately preceding the commencement of this case.

N/A

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24. Tax Consolidation Group.

None ☐ If the debtor is a corporation, list the name and federal taxpayer-identification number of the parent corporation of any consolidated group for tax purposes of which the debtor has been a member at any time within **six years** immediately preceding the commencement of the case.

N/A

25. Pension Funds.

None ☐ If the debtor is not an individual, list the name and federal taxpayer-identification number of any pension fund to which the debtor, as an employer, has been responsible for contributing at any time within **six years** immediately preceding the commencement of the case.

N/A

DECLARATION

[If completed by an individual or individual and spouse]

I declare under penalty of perjury that I have read the answers contained in the foregoing statement of financial affairs and any attachments thereto and that they are true and correct.

Date: 06/11/2013

Signature
of Debtor



In re Halsey McLean Minor
Statement of Financial Affairs

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Schedule 18-a

Nature, location and name of businesses

Business Name and Location	EIN	Nature of Business	Dates
Atmosphir, LLC 3810 Washington St. San Francisco, CA 94118	23-3213887	Online gaming	2006-2010
Carter's Grove, LLC 3810 Washington St. San Francisco, CA 94118	32-0231498	Historic residence	Unknown-Present
Fox Ridge Farms Holdings, LLC 2800 Ridge Rd. Charlottesville, VA 22901	20-2967899	Farm	1999-Present
Fox Ridge Investments, LLC 2800 Ridge Rd. Charlottesville, VA 22901	20-1258029	Farm employee holding company	2004-2012
Fox Ridge Farms Management LLC 2800 Ridge Rd. Charlottesville, VA 22901	54-1958659	Farm management	2004-Present
Minor Family Hotels, LLC 199 Fremont St. 12th Floor San Francisco, CA 94105	39-2060938	99 room hotel	2007-Present
Minor Management Services LLC 3810 Washington St. San Francisco, CA 94118	20-8390613	Operating entity within Minor Ventures	2005-2010
Minor Stables, LLC 2800 Ridge Rd. Charlottesville, VA 22901	32-0231499	Not used	2008-2012

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Business Name and Location	EIN	Nature of Business	Dates
Minor Studios, LLC On Demand Venture Fund 3810 Washington St. San Francisco, CA 94118	26-3213887	Holding company for Atmosphir	2006-2010
Minor Studios Interactive, LLC 3810 Washington St. San Francisco, CA 94118	45-0545759	Operating company for Atmosphir	2012-Present
Minor Studios Subsidiary LLC 3810 Washington St. San Francisco, CA 94118	26-3261605	Argentina employment company for Atmosphir	2006-2010
Minor Ventures, LLC 3810 Washington St. San Francisco, CA 94118	20-2729835	Venture capital firm	2005-2010
Save Hialeah 3810 Washington St. San Francisco, CA 94118	26-4253365	501(3)(c) nonprofit for saving Florida horse racing – member and officer only	2008-2011
Spalding Partners LLC 619 Trenton Dr. Beverly Hills, CA 90210	46-2520453	Co-owned with Shannon Minor, only asset is Minor Studios Interactive, LLC	2012-Present
Swivel, LLC 3810 Washington St. San Francisco, CA 94118	13-4314109	Online data service	2005-2010